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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,919	02/09/2004	Dominic Balzano	NNY2632	7369
44088	7590 12/29/2005		EXAMINER	
SEAN KAUFHOLD P. O. BOX 89626			RESTIFO, JEFFREY J	
SIOUX FALLS, SD 57109			ART UNIT	PAPER NUMBER
			3618	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extractions of unemapy be variable under the provisions of 3/CR1-13(a), in ne even, however, may a reply be trinkly filed  If NO people for reply is specified above, the maintain statutory period will apply and will expire \$3.00 (b) MONTHS from the malling date of this communication.  Failure to reply which the set or extracted period for reply will be state to extract the application become ARM-MODE (5 st 50: 51:33). Any reply received by the Office star than three modifies after the making date of this communication, even if threely filed, may reduce any sented period for reply and the application.  Status  1) Responsive to communication(s) filed on 09 February 2004.  2a) This action is FINAL.  2b) This action is finAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1: slare pending in the application.  4) Of the above claim(s)								
Examiner   Jeffrey J. Restifo   3618   361		Application No.	Applicant(s)	_				
Jeffrey J. Restifo   3618	Office Action Commence	10/773,919	DOMINIC BALZANO					
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Exercision of ame may be available used for the provision of 37 CR 1.136(n), inno event, however, may a reply the timely field after 50 kb (8) MONTH'S from the trading date of this communication, in no event, however, may a reply the timely field after 50 kb (8) MONTH'S from the trading date of this communication, and the state of the source of 37 CR 1.136(n) and will apply and will apply and live state (18) MONTH'S from the making date of this communication.  Failure to reply within the sort or extended period for reply will, by statuto, cause the application is communication, even if smally fitted, may reduce any seemed period for reply will by stated, cause the application (50 ts U.S. C. § 1.33). Any reply received by the Office less than those months after the making case of his communication, even if smally fitted, may reduce any seemed period for CR 1.70(th).  Status  1) Separation is FINAL.  2b ST his action is promised to communication for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-7 is/are pending in the application.  4) Claim(s) 2-6 is/are allowed.  6) Claim(s) 2 is/are allowed.  6) Claim(s) 3 is/are rejected.  7) Claim(s) 2-6 is/are objected to by the Examiner.  10) The drawing(s) filed on 99 February 2004 is/are: a) accepted or b) objected to by the Examiner.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on 99 February 2004 is/are: a) accepted or b) objected to by the Examiner.  Application Papers  9) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Acknowledgment is mad	Oπice Action Summary	Examiner	Art Unit					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Exercisions of some rays be available under the provisions of 37 CFR 1.136(a), in ne worth throwever, may a reply to temely filed to 11 to Depart of cregiv is pecified above, the maximum statistory period unlapsy and will exergis X(s) MONTHS from the mailing date of this communication. Falure to reply within the set or extended pariot for reply will be indeed above, the maximum statistory period unlapsy and will exergis X(s) MONTHS from the mailing date of this communication, even if somely filed, may reduce any statistic provision of the contravioration, even if somely filed, may reduce any statistic provision of the contravioration of second part term department. Sec 97 CFR 1.04(b).  Status  1)  Responsive to communication(s) filed on 09 February 2004. 2a)  This action is FINAL. 2b)  This action is non-final. 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1.7 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5)  Claim(s) 2.1 is/are allowed. 6)  Claim(s) 1 is/are rejected. 7)  Claim(s) 2.1 is/are allowed. 6)  Claim(s) 3.1 is/are rejected to . 8)  Claim(s) 2.2 is/are objected to . 8)  Claim(s) 3.1 is/are rejected to . 8)  Claim(s) 3.1 is/are rejected to . 8)  Claim(s) 4.2 is/are beginned to restriction and/or election requirement. Application Papers  9)  The specification is objected to by the Examiner. 10) The drawing(s) filed on 09 February 2004 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.		Jeffrey J. Restifo	3618					
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Exensions of time may be suitable under the provides of 37 CR 1.13(a). In one wint, however, may a reply be timely filed of the Communication.  If No period to may be suitable under the provides of 15 CR 1.13(a). In one wint, however, may a reply be timely filed of the communication.  If No period to may be suitable under the maximum attalutory period will apply and will expire SY ((g) MONTHS from the mailing date of this communication.  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any seared patients adjustment. See 37 CFR 1.70-(b).  Status  1) ☑ Responsive to communication(s) filed on 99 February 2004.  2a) ☑ This action is FINAL.  2b) ☑ This action is non-final.  3) ☑ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) ☑ Claim(s) ½ is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) ☑ Claim(s) ½ is/are allowed.  6) ☑ Claim(s) ½ is/are rejected.  7) ☑ Claim(s) ½ is/are rejected.  7) ☑ Claim(s) ½ is/are rejected to By the Examiner.  Oliam(s) ☐ The specification is objected to by the Examiner.  Application Papers  9) ☐ The specification is objected to the drawing(s) be held in abeyance. See 37 CFR 1.95(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to by the Examiner.  Application Papers  10) ☑ The drawing(s) filed on 09 February 2004 is/are: a) ☑ accepted or b) ☐ objected to by the Examiner.  Application Papers  9) ☐ The certified copies of the priority documents have been received in Application No		ears on the cover sheet with the c	orrespondence address					
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	Paper No(s)/Mail Date <u>2/9/04</u> .	6) [_] Other:						

#### **DETAILED ACTION**

#### Information Disclosure Statement

The information disclosure statement (IDS) submitted on 2/9/04 has been considered by the examiner. Ex. Note: US 197,719 appears to be a typo and is not relevant to the invention and therefore was not considered.

### Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Taggert (US 2,817,536 A).

Taggert discloses a stroller ski assembly comprising a leg 19, 20, with ski 18, wherein said ski is on a lower end of the leg and said assembly is able to pivot between a horizontal position and a vertical position, as shown in figures 1-3.

## Allowable Subject Matter

Claim 7 is allowed.

Claims 2-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 3618

#### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey J. Restifo whose telephone number is (571)272-6697. The examiner can normally be reached on M-F 10-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Ellis can be reached on (571)272-6914. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).